

REMARKS

Claims 1 – 6, 8 – 10, 12 – 15, 17 and 18 are pending in the present application. Claims 7, 11 and 16 were previously canceled. Reconsideration of the application is respectfully requested.

On 5 APR 2010, Applicant, through Applicant's representative, John Yankovich (Reg. No. 42,240), and Examiner Nguyen conducted a teleconference. Applicant thanks the Examiner for making time for the teleconference. Below, Applicant is providing a written statement of the substance of the teleconference.

The Office Action includes rejections under 35 U.S.C. 101, 35 U.S.C. 102(e), and 35 U.S.C. 103(a). Applicant and Examiner Nguyen discussed an amendment that Examiner Nguyen agreed would overcome the section 101 rejection. The present amendment implements the amendment as discussed during the teleconference. Examiner Nguyen also agreed that the amendment to overcome the section 101 rejection would also overcome the section 102(e) rejection. With regard to the section 103(a) rejection, Applicant briefly explained that a reference cited in the rejection does not qualify as prior art.

Additionally, during the teleconference, Applicant pointed out that the independent claims are directed to a system, but also involve a user and a business partner. In this regard, Applicant directed the Examiner's attention to FIG. 1, where the system is represented by computer system 22, the user uses a user device 32, and the business partner uses a partner device 30.

In section 6 of the Office action, claims 1 - 6, 8 - 10, 12 - 15, 17 and 18 re rejected under 35 U.S.C. 101 as being directed to more than one statutory class. Claims 1 and 10 are independent claims. The Office Action notes that the claims 1 and 10 are system claims, yet contain steps for performing actions. Applicant is rewriting claims 1 and 10 as agreed in the teleconference, and rewriting claims 2 - 6, 8, 9, 12, 13, 14 and 17 for consistency with claims 1 and 10. Reconsideration and a withdrawal of the section 101 rejection are respectfully requested.

In section 7 of the Office Action, claims 1 - 6, 8 - 10, 12 - 15, 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite because the claims are system claims, yet contain steps for performing a method. Additionally, the Office Action notes that claims 2 - 6, 8 and 9 are vague and indefinite because they refer to the method of claim 1, but claim 1 is a system claim. As noted above, Applicant is rewriting claims 1 and 10 as agreed in the teleconference, and rewriting claims 2 - 6, 8, 9, 12, 13, 14 and 17 for consistency with claims 1 and 10. Reconsideration and a withdrawal of the section 112 rejection are respectfully requested.

In section 8 of the Office Action, claims 2 is objected to under 35 U.S.C. 1.75(c) as being of improper dependent form, with regard to its recital of "a user device via a network." Applicant is amending claim 2 to clarify this recital. Reconsideration and a withdrawal of the objection are respectfully requested.

In section 10 of the Office Action, claims 1 - 6, 8 - 10, 12 - 15, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,272,469 to Koritzinsky et al. (hereinafter "the Koritzinsky et al. patent"). The rejection is based, in part, on recitals of method steps being given no patentable weight. As noted above, during the teleconference, Examiner Nguyen agreed that the amendment to overcome the section 101 rejection would also overcome the section 102(e) rejection.

Claim 1 provides for a system that includes, *inter alia*:

a processor; and

a memory coupled to said processor, said processor configured to:

- (a) receive a request that indicates that a user desires a determination of an authenticity of a business partner;
- (b) receive an identity of said business partner from said user;
- (c) match said identity of said business partner to a business data record of a business that is one of a plurality of businesses by searching at least one database for said business data record having at least one data attribute that matches said identity;

if said business data record is found, then:

determine whether said business partner is authentic by processing at least one of said data attribute of said business data record according to a set of authentication rules, wherein said data attribute represents at least one credential of said business partner; and

if said business data record is not found, then:

present a registration template to said business partner for registration in said business database;
obtain registration data from said business partner via said registration template; and
update said business database with said registration data.

The Koritzinsky et al. patent does not disclose a memory coupled to said processor, said processor configured to:

if said business data record is found, then:

determine whether said business partner is authentic by processing at least one of said data attribute of said business data record according to a set of authentication rules, wherein said data attribute represents at least one credential of said business partner; and

if said business data record is not found, then:

present a registration template to said business partner for registration in said business database;
obtain registration data from said business partner via said registration template; and
update said business database with said registration data,

as recited in claim 1. Thus, the Koritzinsky et al. patent does not anticipate claim 1.

Claims 2 - 6, 8 and 9 depend from claim 1. By virtue of this dependence, claims 2 - 6, 8 and 9 are also novel over the Koritzinsky et al. patent.

Claim 10 includes recitals similar to those of claim 1, described above. As such, claim 10, similarly to claim 1, is novel over the Koritzinsky et al. patent.

Claims 12 - 15, 17 and 18 depend from claim 1. By virtue of this dependence, claims 2 - 6, 8 and 9 are also novel over the Koritzinsky et al. patent.

Applicant is requesting reconsideration and a withdrawal of the section 102(e) rejection of claims 1 - 6, 8 - 10, 12 - 15, 17 and 18.

In section 11 of the Office Action, claim 1 - 6, 8 - 10, 12 - 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over:

- (1) applicant's admitted prior art (hereinafter "AAPA"), in view of
- (2) U.S. Patent No. 7,343,623 to Ross (hereinafter "the Ross patent") or vice versa, and further in view of
- (3) the Koritzinsky et al. patent, and
- (4) U.S. Patent Application Publication No. 2001/0032092 to Calver (hereinafter "the Calver publication").

The present application was filed 20 DEC 2001. The Ross patent was filed 29 MAY 2003, and claims priority to a provisional patent application that was filed on 29 MAY 2002. Thus, the present application predates the earliest priority date of the Ross patent, and as such, the Ross patent is not prior art against the present application.

Whereas the Ross patent is not prior art against the present application, all of claim 1 - 6, 8 - 10, 12 - 15, 17 and 18 are patentable over the cited combination of AAPA, the Ross patent, the Koritzinsky et al. patent, and the Calver publication.

Applicant is requesting reconsideration and a withdrawal of the section 103(a) rejection of claims 1 - 6, 8 - 10, 12 - 15, 17 and 18.

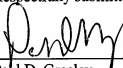
As noted above, Applicant is rewriting the claims to address rejections under 35 U.S.C. 101, 35 U.S.C. 112, and an objection under 35 U.S.C. 1.75(c). None of the amendments makes a substantive change to any of the claims, and therefore, if the Office decides to reject the application on new grounds, the new grounds of rejection would not be necessitated by the amendments being made herein. Accordingly, Applicant is requesting a withdrawal of the finality of the Office Action.

In view of the foregoing, Applicant respectfully submits that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Date

4/5/10

Respectfully submitted,



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